

### **Amendments to the specification**

In the first paragraph, page 1, starting at line 1 of the specification, please amend the paragraph as follows:

This application is a continuation of previously filed and co-pending application U.S. Serial number 09/504, 487, filed September 15, 2000, now abandoned, which is a continuation-in-part of previously-filed and co-pending application U.S. Serial number 09/880,449, filed June 23, 1997, now U.S. Patent Number 6,037,523.

In the paragraph at page 9, starting at line 8, please amend the paragraph as follows: Figure 8 identifies mutations introduced by linker scanning mutagenesis into the region upstream of the MS45 promoter. (The DNA region upstream of the MS45 promoter is SEQ ID NO: 9, the mutations of LS01 through LS15 are, respectively SEQ ID NOS: 10-24).

In the paragraph at page 9, starting at line 9, please amend the paragraph as follows: Figure 9 is a graph representing the effect of 5' deletions (the deletion point shown on the x-axis) on activity of the MS45 promoter with BgIII site number 3 (CAATCCATTA (SEQ ID NO: 7) to ATGATCTATTAAA (SEQ ID NO: 8)) (the y axis showing luciferase activity normalized to GUS as a percent of the wild type full length activity).